



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Department of Criminal Justice Information Services

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Charles D. Baker
Governor

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Lieutenant Governor

Daniel Bennett
Secretary of Public Safety and Security

James F. Slater, III
Acting Commissioner

TO: Criminal Record Review Board (CRRB)
FROM: Board Counsel
RE: Open Session Minutes of the January 20, 2016 CRRB Meeting
DATE: April 12, 2016

A meeting of the Criminal Record Review Board (CRRB) was held on Wednesday, January 20, 2016 at 10:00 a.m. in the second floor conference room of the Massachusetts Information Technology Center, located at 200 Arlington Street, Chelsea, Massachusetts.

Board Member Attendees:

James F. Slater, III – Acting Chairman and Commissioner of the Department of Criminal Justice Information Services
William Shay – Committee for Public Counsel Services (CPCS) Representative
Susanne Reardon – Office of the Attorney General Representative
Cecely Reardon – Massachusetts Department of Youth Services Representative
Robert Harnais – Massachusetts Sheriff's Association Representative
Dr. Rhiana Kohl – Department of Correction Representative
Stephanie Ross – Secretary of Labor and Workforce Development Representative
Michael Callahan – Massachusetts Parole Board Representative
Thomas Capasso – Office of the Commissioner of Probation Representative
Chief Terence Delehanty – MA Chiefs of Police Association Representative
Linda Holt – Massachusetts Sentencing Commission Representative

Board Members unable to attend:

Curtis Wood – Chairman and Undersecretary of Forensic Science and Technology
Dr. William Davila – Private User of CORI Representative
Les Gosule – Personal Privacy Representative
Tara Maguire – Massachusetts District Attorney's Association Representative
Captain Deborah Rebeiro – Massachusetts State Police Representative

DCJIS Staff Attendees:

Agapi Koulouris – General Counsel
Sophia Davis – Program Coordinator



Enhancing Public Safety Through Information Exchange



Daniel Maltzman – Staff Attorney

Board Business:

At approximately 10:00 a.m., a quorum was present. Chairman Slater called the meeting of the CRRB to order.

Approval of September 23, 2015 CRRB Meeting Open Session Minutes:

After reviewing the open meeting minutes from the September 23, 2015 Board meeting, Attorney William Shay made a motion to accept the minutes. Susanne Reardon seconded the motion. The motion passed 8-0 by a majority vote, with Chairman Slater, Thomas Capasso and Linda Holt abstaining from voting.

Discussion of Proposed DCJIS Regulations Updates

Before entering Executive Session, Chairman Slater called attention to the regulations of DCJIS and proposed updates/changes opening up the floor for discussion and comment. General Counsel Agapi Koulouris noted that in accordance with Executive Order 562, the DCJIS completed a comprehensive review of its regulations and the proposed revisions reflected the guidelines set forth in the Executive Order. Cecely Reardon noted the language “adjudicated as an adult” could use some clarification. Agapi Koulouris stated that the juvenile terms could be clarified, but in practice in CORI the juvenile record is examined and screened on a case-by-case basis and if an adult sentence does exist (House of Correction, Adult probation/sentence past the age of 21) DCJIS follows up with the court/DOC for further information. Agapi Koulouris then outlined other changes/updates made to 803 CMR/DCJIS regulations and asked for any further comments or questions. Attorney Shay began a discussion about destruction of CORI documents/files as defined by the CMR. Chairman Slater provided further information and need for training on that issue. Attorney Shay also wanted clarification on 803 CMR 2.08, where an individual is required to retrieve their own CORI, and wanted to know what exceptions or protections are available or outlined. Agapi Koulouris stated that DCJIS would look into making that regulation more specific, however there are so many exceptions listed in the law that it would potentially result in a restatement of MGL c. 6, § 172. Agapi Koulouris then informed the Board that there needed to be a vote to accept the proposed changes with the comments presented. Dr. Rhiana Kohl made a motion to accept with Thomas Capasso seconding the motion. The motion passed 10 – 0 with Chairman Slater abstaining.

Executive Session:

At this point in the meeting, Chairman Slater indicated that the Board would be entering into Executive Session to review CORI complaints whose subject matter is protected pursuant to G.L. c.30A, § 21(a)(7) and G.L. c. 6, §172. The Board would not reconvene in open session. A motion was made by Thomas Capasso and seconded by Attorney Robert Harnais. A roll-call



vote was taken and the motion passed 10-0. The Board entered executive session at approximately 10:25a.m.

At the end of all discussion, Chairman Slater indicated that the Board should exit Executive Session. Chief Delehanty made a motion to exit executive session. Attorney Robert Harnais seconded the motion. A roll call vote was taken and the motion passed 10-0 with Chairman Slater abstaining from voting. Attorney Harnais then made a motion to adjourn. Cecely Reardon seconded the motion and the motion passed 10-0 with Chairman Slater abstaining from voting. The meeting adjourned at approximately 11:30 a.m.